



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

ONE ASHBURTON PLACE ROOM 411
BOSTON MASSACHUSETTS 02108

MICHAEL J. SULLIVAN
DIRECTOR

TEL: (617) 727-8352
(800) 462-OCPP
FAX: (617) 727-6549

February 27, 1997
AO-97-06

Representative Douglas W. Petersen
State House - Room 473F
Boston, MA 02133

Re: Expenditure of campaign funds to pay for creation
of an internet home page

Dear Representative Petersen:

This letter is in response to your February 11, 1997 request for an advisory opinion. Specifically, you have stated that you would like to create a "web page" or home page accessible on the internet to keep constituents informed of your legislative activities. For purposes of this opinion, I assume that the home page will be used solely for these purposes.

Question:

May campaign funds be used to design, implement or maintain a home page to serve constituents?

Answer:

Yes. Campaign funds may be used to design, implement and maintain the home page. The expense may not be otherwise paid or reimbursed by the commonwealth, and the expenditure must be reported on campaign finance reports filed by your political committee.

Discussion:

The campaign finance law states that political committees organized on behalf of candidates for non-constitutional offices may make expenditures "for the enhancement of the political future of the candidate . . . provided however, that the director shall establish reasonable rules and regulations concerning such expenditures. . . ." The statute also specifies that "the term 'personal use' shall not include expenses relating to the provision of constituent or legislative services. . . [which] are not otherwise paid, provided or reimbursed by the commonwealth or other governmental body." See M.G.L. c. 55, s. 6.

Representative Douglas W. Petersen
February 27, 1997
Page 2

The office has issued regulations which authorize expenditures related to providing constituent or legislative services. See 970 CMR 2.15. In accordance with the regulations, legislators may use campaign funds to pay "the reasonable costs of providing services to constituents including requests for information, assistance in gaining access to governmental services, and responding to district issues and concerns. . ." Although the creation of a home page is not specifically listed as an expenditure permitted by the regulation, a home page would appear to be an appropriate method for providing information to constituents. See 970 CMR 2.05(2), made applicable to legislative candidates by 970 CMR 2.06(3), which authorizes political committee expenditures for various kinds of communication. See also AO-93-13 which advised that elected planning board member's political committee could pay for mailing describing initiatives of planning board as a constituent service.

This opinion has been rendered solely on the basis of representations made in your letter and in a conversation with your staff director and is limited in scope to providing guidance within the context of M.G.L. c. 55.

Please do not hesitate to contact this office should you have additional questions about this or any other campaign finance matter.

Sincerely,



Michael J. Sullivan
Director

MJS/cp